

First Five Jurors Are Selected



PAMELA SMART
Entering courtroom

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EXETER— A total of five jurors were picked yesterday for the upcoming trial of Pamela Smart on charges in connection with the May 1 killing of her husband.

Fourteen potential jurors were individually questioned during the course of the day. Of those, five were deemed acceptable by both the state and defense.

In the end, the jurors chosen for the trial in Rockingham County

Superior Court ran the spectrum of ages and occupations. Attorneys accepted an elderly former bank vice president, a young software engineer, a 24-year-old Harvard graduate, a middle-aged office manager and a working woman in

her 30s. Three men and two women were chosen.

Defense attorneys Paul Twomey and Mark Sisti had expressed earlier doubts that the 23-year-old Derry woman, charged with being an accomplice to her husband's

murder, could get a fair trial in the county because of extensive local and national media coverage of the case.

Rockingham County Superior Court Judge Douglas Gray had

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earlier denied a motion to change the location of the trial. Tuesday, he denied the defense's motion to reconsider that ruling.

At the close of selection proceedings yesterday, Twomey said he was pleased with the day's outcome. "It appears we'll be able to pick a jury here," he said. "It's been a very good day."

Attorneys had the opportunity to question individual jury pool members about their impartiality and to ask how much they knew about the case.

After preliminary instructions from Gary on Tuesday, 72 of 147 members of the jury pool were left to question.

Both the defense and prosecution have 20 opportunities to dismiss potential jurors without cause. The defense used three of its opportunities and the prosecution used two.

Four individuals were dismissed for cause by the court and one man was let go because he had vacation plans, leaving 58 individuals from which to pick the remainder of the twelve jurors and two or three alternates.

The jurors who were picked were cautioned by

Gray not to read, listen to or watch media reports concerning the case and not to discuss it with anyone.

Jurors were told to come back March 4, when the presentation of evidence will begin with site views in Derry and Hampton. The trial is expected to last four to six weeks.

Gray denied a motion by the defense to sequester the jury throughout the trial, noting he would consider it during jury deliberations.

Smart is charged with conspiracy to commit murder, accomplice to first-degree murder and witness tampering in connection with the May 1 death of her husband Gregory, 24.

Gregory Smart, an insurance salesman, was fatally shot in the head as he returned to his Derry home from work. In a deal with the state, Seabrook teen William Flynn, 16, has pleaded guilty to firing the shot which killed Smart. Police allege he was Pamela Smart's lover.

His friends Patrick Randall and Vance Lattime Jr., also plea bargained with the state, recently entering guilty pleas to being accomplices to the crime.